

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

UNITED STATES OF AMERICA,)
)
)
v.)
)
)
GARY EARL,) Criminal Action No. 07-174
)
)
Defendant.)

MOTION FOR DETENTION HEARING

NOW COMES the United States and moves for the pretrial detention of the defendant, pursuant to 18 U.S.C. § 3142(e) and (f). In support of the motion, the United States alleges the following:

1. **Eligibility of Case.** This case is eligible for a detention order because case involves (check all that apply):

- Crime of violence (18 U.S.C. § 3156)
- Maximum sentence life imprisonment or death
- 10+ year drug offense
- Felony, with two prior convictions in above categories
- Minor victim; possession or use of firearm, destructive device or other dangerous weapon; or failure to register under 18 U.S.C. § 2250
- Serious risk defendant will flee
- Serious risk obstruction of justice

2. **Reason For Detention.** The court should detain defendant because there are no conditions of release which will reasonably assure (check one or both):

- Defendant's appearance as required



Safety of any other person and the community

3. **Rebuttable Presumption.** The presumption applies because (**check one or both**):

Probable cause to believe defendant committed 10+ year drug offense or

firearms offense, 18 U.S.C. § 924(c)

Previous conviction for "eligible" offense committed while on pretrial bond

4. **Time For Detention Hearing.** The United States requests the court conduct the
detention hearing,

At first appearance

After continuance of 3 days (not more than 3).

5. **Temporary Detention.** The United States request the temporary detention of the
defendant for a period of _____ days (not more than 10) so that the appropriate officials can be
notified since (**check 1 or 2, and 3**):

1. At the time the offense was committed the defendant was:

(a) on release pending trial for a felony;

(b) on release pending imposition or execution of sentence, appeal
of sentence or conviction, or completion of sentence for an offense;

(c) on probation or parole for an offense.

2. The defendant is not a citizen of the U.S. or lawfully admitted for permanent
residence.

3. The defendant may flee or pose a danger to any other person or the community.

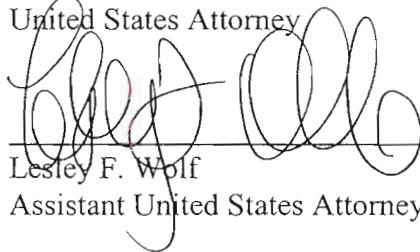
DATED this 2nd day of January, 2008.

Respectfully submitted,

COLM F. CONNOLLY

United States Attorney

BY:


Lesley F. Wolf

Assistant United States Attorney